

ADAMS EVANS P.A.
INTELLECTUAL PROPERTY ATTORNEYS2180 Two Wachovia Center
301 South Tryon Street
Charlotte, North Carolina 28282-1991
Telephone: (704) 375-9249
Facsimile: (704) 375-0729W. THAD ADAMS, III
J. SCOTT EVANS
STEPHEN S. ASHLEY, JR.
MATTHEW J. LADENHEIM
JONATHAN M. HINES
BRANDON C. TREGO**RECEIVED**
CENTRAL FAX CENTER
DEC 22 2004PATENTS
TRADEMARKS
COPYRIGHTS
UNFAIR COMPETITION
TRADE SECRETS
INTERNET LAW**FACSIMILE TRANSMISSION**

TO: Examiner G. Hartmann
Art Unit 3671

FROM: Jonathan M. Hines
Reg. No. 44,764

DATE: December 22, 2004

FAX NO: (703) 872-9306

RE: Our File No. 3060/1; U.S. Serial No. 10/780,196

CONFIRMATION COPY	YES	NO	✓
TO FOLLOW:			

NUMBER OF PAGES Cover + 15

MESSAGE: Please see the attached Amendment for U.S. Serial No. 10/780,196 filed in reply to Office Action dated September 29, 2004.

Also, please confirm receipt of this facsimile. Thank you.

If any problems in transmission occur, please contact Delia Dominguez, Legal Assistant

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION AND ANY ATTACHMENTS MAY CONTAIN CONFIDENTIAL INFORMATION BELONGING TO THE SENDER WHICH IS PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE AND/OR ATTORNEY WORK PRODUCT IMMUNITY. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE RECIPIENT NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR THE TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS INFORMATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE TO ARRANGE FOR RETURN OF THE DOCUMENTS AT OUR EXPENSE.

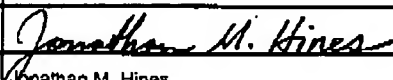
PTO/SB/21 (09-04)

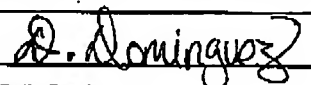
Approved for use through 07/31/2005. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10780,198	
	Filing Date	02/17/2004	
	First Named Inventor	Wayne, Michael L.	
	Art Unit	3671	
	Examiner Name	Hartmann, G.	
Total Number of Pages In This Submission	18	Attorney Docket Number	3060/1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Facsimile Cover Sheet
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks Please charge Deposit Account No. 01-0265 if there are any fees due in connection with this matter.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	ADAMS EVANS P.A.	
Signature		
Printed name	Jonathan M. Hines	
Date	December 22, 2004	Reg. No. 44,784

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	
Typed or printed name	Dalia Dominguez
Date	December 22, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DEC 22 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/780,196 Confirmation No. 9924
Applicant : Michael Lee Wayne
Filed : February 17, 2004
TC/AU : 3671
Examiner : G. Hartmann

Docket No. : 3060/1
Customer No. : 23638

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

This is in response to the Office Action of September 29, 2004.

Amendments to the Specification are not being submitted at this time.

Amendments to the Claims begin on page 3 of this paper.

Amendments to the Drawings are not being submitted at this time.

Remarks begin on page 12 of this paper.

Page 1 of 14